

U.S. DISTRICT COURT
68
402 E. STATE ST 2nd FLOOR
TRENTON, NJ 08608

CASE 3:24-cv-09172-MAS-RLS

MAS-RLS

TO THE HONORABLE JUDGE SCHIPP + JUDGE SINGH,

I AM WRITING TO YOU TODAY BECAUSE MY SON FOUND PAPERWORK (ENCLOSED) IN THE DRIVEWAY.
I DO NOT KNOW WHY I AM RECEIVING THIS.
I DO NOT KNOW A KEVIN BEASLEY, I WAS NEVER SERVED ANYTHING, EVER, UNTIL THIS WAS FOUND LYING OUTSIDE. I KNOW NOTHING OF FRAUD OR ANYTHING STATED IN ANY OF THIS PAPERWORK.
I CALLED THE ATTORNEY'S OFFICE SHAN (JESSICA) CHEN. SHE HAS NO KNOWLEDGE OF THE CASE.
SHE SAID SHE ONLY FILED A JUDGEMENT AND DIRECTED ME TO SEND A LETTER TO YOUR COURT. IS IT ILLEGAL FOR SOMEONE TO STATE THAT I WAS SERVED??

SINCERELY, M/T
718-755-7662.

RECEIVED

I WISH TO VACATE.

NOV 08 2024

THANK-YOU

AT 8:30 M
CLERK, U.S. DISTRICT COURT - D.N.J.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

KEVIN BEASLEY , ET AL.,
Plaintiff

V.

SUMMONS IN A CIVIL CASE

MICHAEL FANELLI,
Defendant

CASE
NUMBER: 3:24-CV-09172-MAS-DLS

TO: (*Name and address of Defendant*):

MICHAEL FANELLI

1 Denise Ct., Manalapan, New Jersey, 07726

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States Agency, or an office or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Shan (Jessica) Chen
1350 Avenue of the Americas, 2nd FL
New York, New York 10019
(d)646-416-6280
jessica@mazzolalindstrom.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



ISSUED ON 2024-09-16 10:20:40, Clerk
USDC NJD

RETURN OF SERVICE		
Service of the Summons and complaint was made by me(I)	DATE <u>70</u>	
NAME OF SERVER (PRINT)	TITLE	
<i>Check and initial below to indicate appropriate method of service</i>		
<p><input type="checkbox"/> Served personally upon the defendant. Place where served: _____ ; or _____</p> <p><input type="checkbox"/> Left the summons at the individual's residence or usual place of abode with (name): _____ a person of suitable age and discretion who resides there. _____</p> <p><input type="checkbox"/> Name of person with whom the summons and complaint were left: _____ ; or _____</p> <p><input type="checkbox"/> Returned unexecuted: _____ ; or _____</p> <p><input type="checkbox"/> Other (specify): _____ _____</p>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on _____ Date _____</p> <p><i>Signature of Server</i></p> <p><i>Address of Server</i></p>		

Case 3:24-cv-09172 Document 1 Filed 09/13/24 Page 1 of 3 PageID: 1

MAZZOLA LINDSTROM LLP
Shan (Jessica) Chen
Counsel for plaintiffs
1350 Avenue of the Americas, 2nd Floor
New York, New York 10019
(d) 646-416-6280
(m) 347-652-9046
jessica@mazzolalindstrom.com

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

-----x
KEVIN BEASLEY and KEVIN BEASLEY
STUDIO, LLC,

Plaintiffs,

Civil Action No.:

Complaint

-against-

MICHAEL FANELLI,

Defendant.

-----x

Plaintiffs Kevin Beasley and Kevin Beasley Studio, LLC, by and through their undersigned attorney, allege as follows for their complaint against defendant Michael Fanelli:

Parties

1. Plaintiff Kevin Beasley is a resident of the State and County of New York.
2. Plaintiff Kevin Beasley Studio, LLC is a New York domestic limited liability company with its principal place of business located in the County of Queens, State of New York. Kevin Beasley is the only member and owner of Kevin Beasley Studio, LLC. Therefore, for purposes of determining diversity jurisdiction, Kevin Beasley Studio, LLC is a New York domiciliary.

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3. Defendant Michael Fanelli is a resident of the State of New Jersey, with his address last known to be 1 Denise Ct., Manalapan, New Jersey, 07726.

Diversity Jurisdiction and Venue

1. The court possesses jurisdiction over this case pursuant to 28 U.S.C. §1332(a), as there is diversity between citizens of different states, and the amount in controversy exceeds \$75,000.
2. Venue is proper in this case pursuant to 28 U.S.C. §1331(b), as defendant is a resident of the State of New Jersey.

Statement of Case: Action on a Judgment

3. This is an action to recover moneys due on a judgment that was entered by the Supreme Court of the State of New York, County of New York.

4. On March 2, 2021, plaintiffs Kevin Beasley and Kevin Beasley Studio, LLC brought an action against Bayview Auto Wreckers, Inc. and Michael Fanelli in the Supreme Court of the State of New York, County of New York.

5. On May 15, 2024, judgment from the Supreme Court of the State of New York, County of New York was entered in plaintiffs' favor and, jointly and severally, against Bayview Auto Wreckers, Inc. and Michael Fanelli, in the amount of \$878,479.31 (See **Exhibit A**).

6. The judgment debtors are Bayview Auto Wreckers Inc., last known to be located at 3333 Richmond Terrace, Staten Island, New York 10303, and Michael Fanelli, who used to live in Woodbourne, New York, but is now residing at 1 Denise Ct., Manalapan, New Jersey 07726.

7. The judgment debtors have failed to pay any portion of the judgment.

8. Plaintiffs Kevin Beasley and Kevin Beasley Studio, LLC therefore bring this action in this Court against defendant Michael Fanelli, because he is jointly and severally liable

Case 3:24-cv-09172 Document 1 Filed 09/13/24 Page 3 of 3 PageID: 3

for payment of the full amount of the judgment, \$878,479.31, for which plaintiffs now demand that this Court enter judgment in their favor and against defendant Fanelli for such amount owed.

WHEREFORE, Plaintiffs pray that this Court enter judgment in their favor and against defendant in the amount of \$878,479.31, plus interest at the legal rate measured from May 15, 2024, plus costs.

Dated: New York, New York
September 13, 2024

Respectfully submitted,

MAZZOLA LINDSTROM, LLP



Shan (Jessica) Chen
Counsel for plaintiffs
1350 Avenue of the Americas, 2nd Floor
New York, New York 10019
(d) 646-416-6280
(m) 347-652-9046
jessica@mazzolalindstrom.com

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEYKEVIN BEASLEY and KEVIN BEASLEY
STUDIO, LLC,*Plaintiff*

v.

MICHAEL FANELLI,

*Defendant*Civil Action No. 3:24-cv-09172

CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Civil Procedure 7.1(a)(1), a disclosure statement is required to be filed by any non-government corporate party, including those seeking to intervene.

The undersigned counsel certifies that Kevin Beasley Studio, LLC, is a non-governmental corporation and that:

- This party's parent corporation, and all publicly held corporations owning 10% or more of this party's stock, are listed here:

OR

- This party does not have a parent corporation, nor is there any publicly held corporation that owns 10% or more of this party's stock.



Signature of Attorney

1350 Avenue of the Americas, 2nd Floor

Address

New York, NY 10019

City/State/Zip

09/19/2024

Date

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

<p>KEVIN BEASLEY AND KEVIN BEASLEY STUDIO, LLC.</p> <p>Plaintiff(s),</p> <p>v.</p> <p>MICHAEL FANELLI</p> <p>Defendant(s).</p>	<p>Civil No. 3:24-cv-09172</p>
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DISCLOSURE STATEMENT¹ PURSUANT TO FED. R. CIV. P. 7.1(a)(2)

KEVIN BEASLEY	<input checked="" type="checkbox"/> Individual ² <input type="checkbox"/> Corporation ³ <input type="checkbox"/> Partnership ⁴ <input type="checkbox"/> Limited Liability Company ⁵ <input type="checkbox"/> Other	State(s) of Citizenship NEW YORK
KEVIN BEASLEY STUDIO, LLC.	<input type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Other	State(s) of Citizenship NEW YORK
MICHAEL FANELLI	<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Other	State(s) of Citizenship NEW JERSEY

In cases where one or more parties are partnerships or LLCs, list all partners or members and their citizenship. This space should also be used where there are more than three parties. Additional sheets may be added as needed.

The sole member and owner of plaintiff Kevin Beasley Studio, LLC is plaintiff Kevin Beasley, who is a New York domiciliary.

Pursuant to 28 U.S.C. § 1746 and Fed. R. Civ. P. 11, I certify that the foregoing is true and correct.

/s/ Shan (Jessica) Chen

Date:

09/20/24

¹ This statement shall be filed by each party.

² 28 U.S.C. § 1332(a)(1); *McNair v. Synapse Grp. Inc.*, 672 F.3d 213, 219 n.4 (3d Cir. 2012) (citing *Krasnov v. Dinan*, 465 F.2d 1298, 1300 (3d Cir. 1972) (“[M]ere residency in a state is insufficient for purposes of diversity [of citizenship].”)). The natural person must be domiciled in the state and a citizen of that state. See *Gilbert v. David*, 235 U.S. 561 (1915); *Lincoln Ben. Life Co. v. AEI Life, LLC*, 800 F.3d 99 (3d Cir. 2015).

³ 28 U.S.C. § 1332(c)(1) (“[A] corporation shall be deemed to be a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business . . .”); *Hertz Corp. v. Friend*, 559 U.S. 77 (2010); *S. Freedman & Co., v. Raab*, 180 F. App’x 316, 320 (3d Cir. 2006) (explaining that “[i]n order to adequately establish diversity jurisdiction, a complaint must set forth with specificity a corporate party’s state of incorporation and its principal place of business,” and affirming dismissal of complaint alleging that corporation maintained “a principal place of business,” rather than “its principal place of business” (quoting *Joiner v. Diamond M Drilling Co.*, 677 F.2d 1035, 1039 (5th Cir. 1982))). The parties are directed to list the state of incorporation and principal place of business of the corporation.

⁴ A partnership, as an unincorporated entity, takes on the citizenship of each of its partners. *Zambelli Fireworks MFG. Co. v. Wood*, 592 F.3d 412, 419 (3d Cir. 2010) (citation omitted). The parties are directed to list each partner and its citizenship.

⁵ The citizenship of an LLC is determined by the citizenship of each of its members. See *Carden v. Arkoma Assocs.*, 494 U.S. 185 (1990); *Lincoln Ben. Life Co. v. AEI Life, LLC*, 800 F.3d 99, 105 (3d Cir. 2015). The parties are directed to list each member and its citizenship. If any member is itself a partnership, limited liability company, or other unincorporated association, its partners or members and their citizenship must be set forth separately. See *Zambelli Fireworks MFG. Co. v. Wood*, 592 F.3d 412, 420 (3d Cir. 2010) (“And as with partnerships, where an LLC has, as one of its members, another LLC, the citizenship of unincorporated associations must be traced through however many layers of partners or members there may be to determine the citizenship of the LLC.”)

SUPREME COURT OF THE STATE OF NEW YORK
 COUNTY OF NEW YORK

KEVIN BEASLEY and KEVIN BEASLEY
 STUDIO, LLC,

Index No.: 651397/2021

Plaintiffs,

-against-

Judgment

BAYVIEW AUTO WRECKERS, INC., MICHAEL
 FANELLI, and DOES 1-10,

Defendants.

-----x

Whereas, a summons and complaint was filed herein on March 2, 2021 by plaintiffs Kevin Beasley and Kevin Beasley Studio LLC against defendants Bayview Auto Wreckers, Inc. and Michael Fanelli, seeking recovery of compensatory, consequential and punitive damages due to, inter alia, fraud and conversion by the defendants of the plaintiffs' property, resulting in the total loss of value thereof (NYSCEF Dkt. #1);

Whereas, defendants Bayview Auto Wreckers and Michael Fanelli were duly served with the summons and complaint and the affidavits were duly docketed (Dkt. #2 & #3);

Whereas, defendants failed to timely answer the complaint, and a motion for default was duly served and filed (Dkt. #12-18);

Whereas, defendants, having failed to oppose the motion for a default judgment, and the papers submitted in support thereof having been deemed good and sufficient to demonstrate entitlement to the relief sought, by decision and order of the Honorable Lawrence Love, dated August 20, 2021, ordered that plaintiffs have judgment against the defendants on each of their claims, including fraud and conversion and directing an inquest on damages (Dkt. 19);

Whereas, the order was duly served with notice of entry on August 24, 2021 (Dkt. 20);

Whereas, a note of issue for an inquest on damages was served and filed August 24, 2021 (Dkt. 21);

Whereas, the court ordered an inquest to proceed on November 29, 2023, and the defendants were duly served with notice of the inquest date (Dkt. 25);

Whereas, the matter was heard on November 29, 2023, on the inquest calendar, which the defendants failed to attend;

Whereas, attorneys Richard E. Lerner and Wendy J. Lindstrom appeared in behalf of the plaintiffs, and plaintiff Kevin Beasley appeared as a witness in his own behalf and on behalf of plaintiff Kevin Beasley Studio, LLC, and Mr. Casey Kaplan appeared as an expert and percipient witness on behalf of the plaintiffs, and at the inquest the attorneys and the witnesses demonstrated entitlement to the damages sought on the claim of fraud:

Whereas, the Honorable Adam Silvera, Justice of the Supreme Court, New York County, upon review of the affirmation of attorney Richard E. Lerner and the accompanying affidavits of Kevin Beasley and Casey Kaplan, along with the exhibits annexed to the Beasley and the Kaplan affidavits substantiated their claims to the damages sought, as previously demonstrated during the inquest (Dkt. #25 et seq.), issued an order on January 10, 2024 (Dkt. 40) directing entry of judgment in plaintiffs' favor and against the defendants.

IT IS HEREBY,

ADJUDGED, that plaintiff Kevin Beasley, of 225 West 139th, New York, New York 10030 and plaintiff Kevin Beasley Studio, LLC, of 37-24 24th Street, Long Island City, New York 11101, jointly recover from defendants Bayview Auto Wreckers Inc., of 3333 Richmond Terrace, Staten Island, New York 10303, and Michael Fanelli of (last known address) 562

FILED: NEW YORK COUNTY CLERK 05/15/2024 02:48 PM
Case 3:24-cv-09172 Document 1-1 Filed 09/13/24 Page 4 of 5 PageID: 7
 INDEX NO. 651397/2021
 NYSCEF DOC. NO. 44 RECEIVED NYSCEF: 05/15/2024

Hasbrouk Road, Woodbourne, New York 12788, jointly and severally, the principal sum of \$375,773.49 in compensatory damages as to plaintiffs' claim of fraud, and \$350,000 in exemplary damages, also as to the claim of fraud, for a subtotal of \$725,773.49 with interest accruing at the rate of 9% from January 22, 2022, the date of discovery of the fraud, such interest being \$151,040.42 as of the date of this judgment, and that plaintiff have one bill of costs of \$1,665.40, for a total judgment of \$ 878,479.31, and the plaintiff have execution **X** therefor.

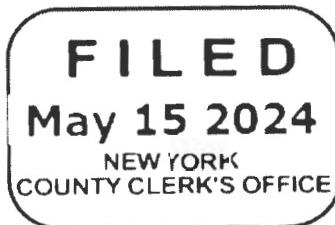
Dated: New York, New York
 May 10, 2024

ENTER:

Lori S. Sattler, JSC

Clerk

15 th May, 2024
 Date



FILED: NEW YORK COUNTY CLERK 05/15/2024 02:48 PM
 Case 3:24-cv-09172 Document 1-1 Filed 09/13/24 Page 5 of 5 PageID: 8
 NYSCEF DOC. NO. 4 INDEX NO. 651397/2021

RECEIVED NYSCEF: 05/15/2024

SUPREME COURT OF THE STATE OF NEW YORK
 COUNTY OF NEW YORK

-----X

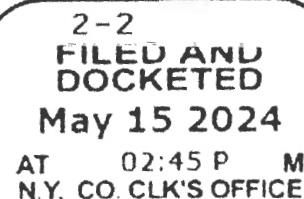
KEVIN BEASLEY, KEVIN BEASLEY
 STUDIO, LLC,

Index No.: 651397/2021

Plaintiff,

-against-

BAYVIEW AUTO WRECKERS, INC.,
 MICHAEL FANELLI, DOES 1-10,



Defendants.

-----X

JUDGMENT

21 651397

Richard E. Lerner
 MAZZOLA LINDSTROM, LLP
 1350 Avenue of the Americas, 2nd Floor
 New York, New York 10019
 917.584.4864
richard@mazzolalindstrom.com

Case 3:24-cv-09172-MAS-RLS Document 2 Filed 08/20/24 Page 1 of 2 PageID: 11

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Kevin Beasley and Kevin Beasley Studio, LLC.

DEFENDANTS

Michael Fanelli

(b) County of Residence of First Listed Plaintiff New York
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Monmouth County

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)**(c) Attorneys (Firm Name, Address, and Telephone Number)**

Shan (Jessica) Chen
 Mazzola Lindstrom LLP, 1350 Avenue of the Americas, 2FL
 New York, NY 10019 646-416-6280

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question
<i>(U.S. Government Not a Party)</i> |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity
<i>(Indicate Citizenship of Parties in Item III)</i> |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)
(For Diversity Cases Only)

- | PTF | DEF | PTF | DEF |
|--|---|---------------------------------------|----------------------------|
| <input type="checkbox"/> 1 Citizen of This State | <input checked="" type="checkbox"/> 1 Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <input checked="" type="checkbox"/> 2 Citizen of Another State | <input type="checkbox"/> 2 Incorporated and Principal Place of Business In Another State | <input checked="" type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> 3 Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	PERSONAL INJURY	PERSONAL INJURY	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury	INTELLECTUAL PROPERTY RIGHTS	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 835 Patent - Abbreviated New Drug Application	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 880 Defend Trade Secrets Act of 2016	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle	<input type="checkbox"/> 390 Other	SOCIAL SECURITY	<input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692)
<input checked="" type="checkbox"/> 190 Other Contract	<input type="checkbox"/> Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<input type="checkbox"/> 861 HIA (1395ft)	<input type="checkbox"/> 485 Telephone Consumer Protection Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 863 DIWC/DIW (405(g))	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
JUDGMENT ENFORCEMENT		<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 890 Other Statutory Actions
		<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 891 Agricultural Acts
		<input type="checkbox"/> 791 Employee Retirement Income Security Act	FEDERAL TAX SUITS	<input type="checkbox"/> 893 Environmental Matters
		*	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 895 Freedom of Information Act
			<input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 896 Arbitration
				<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
				<input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	Habemus Corpus:		
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<input type="checkbox"/> 463 Alien Detainee		
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 510 Motions to Vacate Sentence		
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 530 General		
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<input type="checkbox"/> 535 Death Penalty	IMMIGRATION	
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other	Other:	<input type="checkbox"/> 462 Naturalization Application	
	<input type="checkbox"/> 448 Education	<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 465 Other Immigration Actions	
		<input type="checkbox"/> 550 Civil Rights		
		<input type="checkbox"/> 555 Prison Condition		
		<input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement		

V. ORIGIN (Place an "X" in One Box Only)

- | | | | | | | |
|---|---|--|---|--|--|---|
| <input checked="" type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|---|---|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (*Do not cite jurisdictional statutes unless diversity*):

28 U.S.C. §1332(a)

VI. CAUSE OF ACTION

Brief description of cause: Action on a judgment

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.**DEMAND \$**

CHECK YES only if demanded in complaint:

JURY DEMAND: Yes No**VIII. RELATED CASE(S) IF ANY***(See instructions):*

JUDGE

DOCKET NUMBER

DATE

09/20/2024

SIGNATURE OF ATTORNEY OF RECORD

/s/ Shan (Jessica) Chen

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filing and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.

United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1335 and 1338. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and Box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; NOTE: federal question actions take precedence over diversity cases.)

II. Residence (citizenship) of Principal Parties. This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.

IV. Nature of Suit. Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).

V. Origin. Place an "X" in one of the seven boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.

Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation - Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.

Multidistrict Litigation - Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket. PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.

VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service.

VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.C.P.

Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.

Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.

VIII. Related Cases. This section of the JS 44 is used to reference related cases, if any. If there are related cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

Case 3:24-cv-09172 Document 1-1 Filed 09/13/24 Page 1 of 5 PageID: 4

Exhibit A

FROM:

M. FANELLI
1 DENSE CT
MANALAPAN, NJ 07726

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®



9589 0710 5270 1716 6649 27

TO:

U.S. DISTRICT COURT
402 E. STATE ST. RM 2020
TRENTON, NJ 08608



Utility Mailer
10 1/2" x 16"

Rea